

TIPPECANOE COUNTY SOLID WASTE MANAGEMENT DISTRICT
SPECIAL MEETING
February 5, 2015

The Tippecanoe County Solid Waste Management District met in a special session on Thursday, February 5, 2015 at 2:00 p.m. in the Tippecanoe Room of the County Office Building. Attendees included Officers: Chairman County Commissioner Tom Murtaugh, Vice Chairman County Commissioner Tracy Brown, and Auditor/Controller Bob Plantenga. Board Members present included: Lafayette Mayor Tony Roswarski, West Lafayette Mayor John Dennis, County Commissioner David Byers, and Lafayette Councilmember Ron Campbell. Also in attendance were Attorney Doug Masson, Treasurer Chief Deputy Dawn Fay, Auditor Chief Deputy Jeremy Diehl, and Recording Secretary Tillie Hennigar. County Councilmember John Basham was absent.

Chairman Murtaugh called the meeting to order.

NORTH 9TH STREET FACILITY

Chairman Murtaugh said recent fire damage to the North 9th Street facility was to the northwest corner of the building. Their insurance covered a new roof on the north end of the building and they are also adding new metal to the building on that end. There is significant wear and tear on the roof at the other end and they want to know if the County has an interest in repairing the other portion. The cost would be \$83,500; \$53,500 for the roof and \$30,000 for new metal siding. Chairman Murtaugh said to keep in mind that it is a County owned facility, there is an MOU with the Solid Waste District to operate the Hazardous Waste facility (which had no damage). The mission of the Solid Waste District is to promote recycling. He is uneasy using District funds to repair a County building; the project was not budgeted and should be County funds.

A discussion was held regarding the agreement with Southside to take over the Hazardous Waste collection site. The agreement was \$175,000, payments are made monthly and it now has a balance of \$72,000.

Commissioner Byers said the County was approached about selling the property. One of the overhead doors is being replaced because it was destroyed to put the fire out; one door cost \$53,000. His opinion is the District has the funds and we should fix the building or sell the property. The County makes a dollar a year from the property and he has a problem putting another \$40,000 of County money into the facility.

Mayor Roswarski said by the County owning the facility, it gives some leverage to negotiate the operating contract; however, only making a dollar a year, he would give consideration to doing something else with the property. Chairman Murtaugh said if the property is sold, it would have to be offered to the public. Commissioner Byers said clauses could be added to clarify it is a Hazardous Waste facility.

Councilmember Campbell stated he would be in favor of repairing the roof with money from the District UNLESS we want to sell it. Mayor Roswarski said he would hate for it to NOT be a transfer station as there are people in the northern part of the county, construction companies, and all kinds of people who use it. If there is only the one where Waste Management is located, we would not be serving the community.

Chairman Murtaugh shared the idea of extending the lease for 10 years; saying that Southside wants the security of a long term lease. Mayor Roswarski said he would be in favor of that if a long term lease was negotiated and with tipping fees, he could negotiate a long term agreement which would provide stability

for planning the budget for several years. In that case, they make the repairs and the County doesn't put out any money. Chairman Murtaugh said if the board decides to NOT do the repairs, Southside will.

Attorney Masson said the repairs must comply with the Public Works Laws. The company currently doing the insurance repairs should come in with a lower bid because they are already on site. Mayor Roswarski said since it would be public money going into the project, there has to be a process to comply with – bids, etc. Attorney Masson said the prior lease agreement with Southside required they follow the Public Works statutes when completing the bump out. The repair estimate is \$83,500.

Commissioner Byers said his opinion is to pay for the repairs out of the District. He is not in favor of making it long term and extending the lease, saying “turn it over and let them pay the property taxes”. Commissioner Brown said it's a shame we don't make enough to cover maintenance costs. Commissioner Byers continued to say tipping fees are down to \$20,000 a year, we give West Lafayette \$44,500 so the rest is being subsidized. The money coming in is nil.

Chairman Murtaugh said if the lease was put in place so it helps the community and the County ends up with a better building with Southside paying for repairs, the County benefits. Mayor Roswarski said when West Lafayette has to be subsidized (from EDIT) because there are not enough tipping fees, maybe the tipping fees should be raised to cover expenses and break even. Commissioner Byers said the County is losing \$22,499 a year.

Councilmember Campbell asked what the worst case scenario would be if the property is sold. Commissioner Byers said Waste Management buys it and there would be one company controlling everything. Mayor Roswarski said every business is hurt if they have to pay.

Mayor Roswarski continued to say if there was a long term agreement for the building, they make the repairs, work out a formula so the County doesn't lose money, they get 50% of our business which is what is guaranteed currently, there was a long term tipping agreement so they know they are receiving some escalation, and we still dump recyclables for free.

Commissioner Brown asked if it is appropriate for the District to pay for a County owned building. Attorney Masson said the County pays rent and paying for the repairs is a judgement call; there isn't anything illegal about it.

- Commissioner Byers moved to approve the Solid Waste District pay for repairs, second by Councilmember Campbell.

Mayor Roswarski asked how the negotiation would be handled, is the long term negotiation door closed? He wants to look at a long term lease but when it comes to using the District funds versus County funds, he feels the Commissioners should make that call. Chairman Murtaugh said it is to improve a county facility; when the District paid for the bump out, it was specifically to expand recycling which is the mission of the District - this is a maintenance item. Commissioner Byers said if there hadn't been a fire, we would not be doing anything.

Chairman Murtaugh said if the repairs are put on hold for five years, the estimate could be more than \$83,500. Attorney Masson asked if there was a sense of difference between the costs of doing the repairs on our own versus working with the insurance company. Chairman Murtaugh said no, none at all as the issue was just brought to our attention very recently.

Attorney Masson said for contracts under \$150,000, quotes are acceptable; contracts over \$150,000 require an RFP. Chairman Murtaugh said there are no funds appropriated and they would have to go before the Council for approval.

Chairman Murtaugh said the motion is still on the table to use District funds to make the repairs.

Mayor Roswarski said he doesn't believe the tipping fee contract extends to 2019. Chief Deputy Fay said the District is under the gun as they are being told the repairs can be done for a cheaper price than if they do the repairs on their own. The board is taking their word for it without knowing if it's the best cost. If the board says no and then researches the cost, they can pay \$83,500 or come back with a lower quote. If you say no now, it closes the door – if you say we don't have enough time to make a decision but if you need to proceed with repairs, we may or may not pay. Mayor Roswarski said the board can't authorize the work to be done and then approach Council for approval. Commissioner Brown said there are too many moving parts. He is all about making quick decisions when necessary but the roof doesn't have holes.

- The Board voted on the motion. Motion failed with a vote of 4 – no, and 2 – yes. Chairman Murtaugh, Commissioner Brown, Mayor Dennis, and Mayor Roswarski voted no; Commissioner Byers and Councilmember Campbell voted yes.
- Councilmember Campbell voted for approval to advise Southside that the Board voted no to completing repairs to the roof and building at this time due to the timing of obtaining approval for an appropriation, second by Mayor Dennis; motion carried.

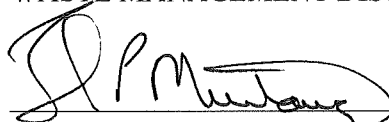
A discussion was held regarding locating the minutes from the last Southside Board meeting in order to approach the subject of a long term lease and possibly increasing the Tipping Fees.


The quarterly meeting of the Solid Waste District was discussed and the necessity of holding the scheduled March meeting. All members were in agreement that meetings should be held as needed and the March meeting was unnecessary.

- Commissioner Byers moved to adjourn, second by Mayor Roswarski.

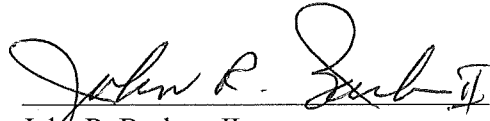
Meeting adjourned at 2:42 p.m.

TIPPECANOE COUNTY SOLID
WASTE MANAGEMENT DISTRICT


Thomas P. Murtaugh, Chairman


Tracy A. Brown, Vice-Chairman

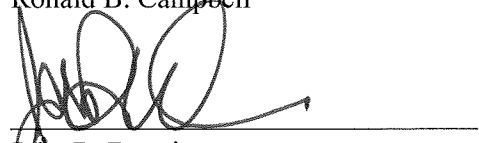

David S. Byers



John R. Basham II

absent

Ronald B. Campbell

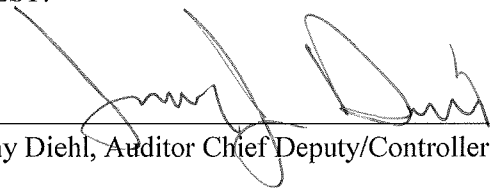


John R. Dennis

Tony Roswarski

Tony Roswarski

ATTEST:



Jeremy Diehl, Auditor Chief Deputy/Controller 06/18/2015

Minutes prepared by Tillie Hennigar, Auditor Admin. Asst.